

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
CRIMINAL DOCKET NO. 5:05cr226-1-RLV**

UNITED STATES OF AMERICA)	
)	
vs.)	<u>SCHEDULING ORDER</u>
)	
SANTOS MATAMOROS-MODESTA)	
)	
Defendant.)	
_____)	

THIS MATTER is before the Court on the Judgment of the Fourth Circuit Court of Appeals, filed April 10, 2008¹, remanding this case for re-sentencing.

On May 19, 2008, this Court ordered that a sentencing hearing be scheduled in this matter for August 4, 2008, at 2:00 p.m. in the Statesville Division.(Doc.# 25) The Court also ordered that the United States Marshal Service transport the Defendant to Statesville, North Carolina for the sentencing hearing scheduled for August 4, 2008, at 2:00 p.m. However, the Defendant was not brought into the district for his sentencing hearing. Consequently, this matter will need to rescheduled.

IT IS, THEREFORE, ORDERED that the sentencing hearing is hereby rescheduled for September 8, 2008 at 10:10 a.m. in the United States Courthouse, 200 West Broad Street, 2nd floor Courtroom, Statesville, North Carolina.

IT IS FURTHER ORDERED that the United States Marshal Service transport Defendant to the United States Courthouse in Statesville, North Carolina and make him available for the sentencing hearing scheduled for September 8, 2008, at 10:10 a.m. in the Statesville Divison.

¹ The mandate issued on October 13, 2006.

IT IS ALSO ORDERED that a copy of this order be sent to the Defendant, Defense Counsel, the United States Attorney, the United States Marshal Service, and the United States Probation Office.

Signed: July 31, 2008

A handwritten signature in black ink, reading "Richard L. Voorhees", written over a horizontal line.

Richard L. Voorhees
United States District Judge

